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INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 2354
RUEHNE/AMEMBASSY NEW DELHI 5848
RUEHUL/AMEMBASSY SEOUL 9414
RUEHKO/AMEMBASSY TOKYO 7033
RUEAIIA/CIA WASHDC
RUEHGV/USMISSION GENEVA 4717
RUEHBS/USEU BRUSSELS
RHEHNSC/NSC WASHDC
RHHMUNA/CDR USPACOM HONOLULU HI
RUCNDT/USMISSION USUN NEW YORK 2782
RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000799

SIPDIS

STATE FOR EAP AND IO
PACOM FOR FPA

E.O. 12958: DECL: 12/10/2019

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: AUNG SAN SUU KYI MEETS LIAISON MINISTER; LEGAL
TEAM PREPARES SUPREME COURT APPEAL

REF: A. RANGOON 743
[1](#)B. RANGOON 797
[1](#)C. RANGOON 676

Classified By: P/E Chief Jennifer Harhigh for Reasons 1.4 (b) & (d)

Summary

[1](#)1. (C) State-run media confirmed that Aung San Suu Kyi (ASSK) met with Liaison/Labor Minister Aung Kyi December 9 at the state guesthouse for forty-five minutes. National League for Democracy spokesman Nyan Win, who has not yet received a read out of the meeting, speculated it may have been to arrange a future meeting between ASSK and the NLD Central Executive Committee (CEC). Nyan Win hopes to meet ASSK the week of December 14 to discuss presentation of appeal arguments before the Supreme Court, scheduled for December [1](#)21. The GOB itself is appealing to the Supreme Court to reject the Divisional Court's statement that the 1974 Constitution is no longer valid. End summary.

ASSK Meeting with Aung Kyi

[1](#)2. (C) Nyan Win told us December 10 he surmises Aung Kyi met with ASSK in response to her recent letter to Than Shwe (Ref A), and it is possible the discussion was to arrange a session between ASSK and the NLD CEC. Nyan Win based that speculation on a December 9 editorial in the New Light of Myanmar (NLOM), which chastised ASSK and the NLD for leaking to the media the content of her two letters to Than Shwe, alleging that was an effort to pressure the regime. The piece included a statement that "it is hoped that the government, like parents, will be generous to do what should be done." Nyan Win interpreted that line as an indication Than Shwe may respond positively to ASSK's letter.

[1](#)3. (C) Nyan Win continues to believe that a general (other than Aung Kyi) visited ASSK at her home recently in response to her letter. He added that Dr. Tin Myo Win (aka Douglas) is aware of the meeting. (Note: Per ref B, Douglas told us the rumor is unfounded. End note.)

14. (C) Regarding the GOB's displeasure regarding the publicity surrounding the letters, Nyan Win declined comment, saying only that he released the second letter to the media at ASSK's request. She had instructed him to release the letter publicly exactly six days after mailing it to Than Shwe. (Note: She stipulated six days because the authorities had told the NLD they received her first letter to Than Shwe six days after it was postmarked. End note.) Nyan Win told us he had fully briefed the CEC about plans to release the letter, although not all CEC members were present at the time. (Note: We have heard there is internal grumbling that not all CEC members saw the letter prior to its public release. End note.)

ASSK Legal Team--and GOB--Appeal to Supreme Court

15. (C) Nyan Win will request to meet with ASSK the week of December 14 to discuss legal arguments in advance of a December 21 appearance before Burma's Supreme Court to argue for admission of the appeal. Nyan Win expects the court to decide the same day if it will admit the appeal; and, if the answer is yes, he believes judges would allow approximately two-three weeks for the legal team to prepare the case. If the Supreme Court does not admit the appeal, ASSK's legal team plans a final appeal to Burma's "Special Supreme Court."

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16. (C) In an interesting twist, Nyan Win told us the GOB will argue December 21 for the Supreme Court to hear its case for rejection of the Divisional Court's statement that the 1974 Constitution is no longer valid. (Note: Per ref C, on October 2 the Divisional Court rejected ASSK's appeal. The judges stated at the time that "although the court accepts that the 1974 constitution is not valid...Daw Aung San Suu Kyi is guilty under the 1975 State Protection Law...so the court rejects the appeal." End note.)
DINGER